

UNCLASSIFIED

A210

LIMITED OFFICIAL USE

RELEASED IN FULL

PAGE 01 CARACA 00342 132135Z
 ACTION ARA-01

INFO	LOG-00	ACDA-17	AID-01	CIAE-00	C-01	OASY-00	DODE-00
	EB-01	HA-09	H-01	INRE-00	INR-01	IO-19	LAB-04
	L-03	ADS-00	NSAE-00	NSCE-00	OIC-02	OMB-01	PA-01
	PM-02	PRS-01	P-01	SIL-00	SNP-00	SP-00	SR-00
	SS-00	STR-17	TRSE-00	T-01	USIE-00	RPE-00	/084W
	-----900D61 132136Z /38						

P 132135Z JAN 93
 FM AMEMBASSY CARACAS
 TO SECSTATE WASHDC PRIORITY 6720
 INFO AMEMBASSY BOGOTA
 AMEMBASSY BRASILIA
 USCINCSO QUARRY HEIGHTS PM

LIMITED OFFICIAL USE CARACAS 00342

E.O. 12356: NA
 TAGS: PGOV, MARR, PINS, PHUM, VE
 SUBJECT: SPECIAL MILITARY COURT HANDS DOWN INITIAL
 VERDICTS; INCIDENT AT FORT TIUNA

REF: (A) 92 CARACAS 13358, (B) 92 CARACAS 13434

1. THE JANUARY 13 CARACAS PRESS REPORTS THAT ON JAN. 12
 THE "SPECIAL WAR COUNCIL," THE SUMMARY MILITARY TRIBUNAL
 ESTABLISHED TO TRY THE ALLEGED MILITARY AND CIVILIAN
 PARTICIPANTS IN THE NOVEMBER 27, 1992 REBELLION, HANDED
 LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 CARACA 00342 132135Z
 DOWN ITS INITIAL DECISIONS. THE INFORMATION AS TO THE
 NUMBER OF DEFENDANTS CONVICTED AND THOSE ACQUITTED VARIES
 SOMEWHAT IN THE DIFFERENT PAPERS AND APPEARS INCOMPLETE,
 APPARENTLY BECAUSE THE SOURCE OF THE INFORMATION IS A
 MIXTURE OF LEAKS FROM THE MILITARY, STATEMENTS BY DEFENSE
 LAWYERS, AND INFORMATION RELEASED BY THE OFFICIAL VENPRES
 NEWS AGENCY.

2. NONETHELESS, IT APPEARS THAT APPROXIMATELY 99 OF THE
 DEFENDANTS WERE ACQUITTED AND 97 WERE CONVICTED. THE 99
 INDIVIDUALS ACQUITTED INCLUDE 40 CIVILIANS (INCLUDING

UNITED STATES DEPARTMENT OF STATE
 REVIEW AUTHORITY: OSCAR J OLSON
 DATE/CASE ID: 09 AUG 2006 200503206

UNCLASSIFIED

UNCLASSIFIED

FORMER CABINET MINISTER MANUEL QUIJADA AND JOSE ANTONIO COVA) AS WELL AS 7 MEMBERS OF THE NATIONAL GUARD, 32 MEMBERS OF THE ARMY, 8 FROM THE NAVY, AND 12 FROM THE AIR FORCE (ONLY ABOUT 20 OF THE MILITARY ACQUITTED WERE OFFICERS). THE FORMER CAUSA R CANDIDATE FOR MAYOR OF THE MUNICIPALITY OF CABIMAS AND THREE OTHER CAUSA R ACTIVISTS WERE AMONG THOSE FOUND INNOCENT. THOSE CONVICTED REPORTEDLY RECEIVED SENTENCES RANGING FROM 14 TO 25 YEARS.

3. THE SPECIAL WAR COUNCIL HAS NOW COMPLETED ITS FUNCTION. IN ITS PLACE, A NEW MILITARY TRIBUNAL WAS CONSTITUTED ON JAN. 12, THE SUPREME WAR COUNCIL, WHICH IS TO BEGIN ITS WORK ON JAN. 13. THE SUPREME WAR COUNCIL WILL ACT AS A COURT OF APPEALS AND DURING THE NEXT TWO TO THREE DAYS WILL REVIEW THE CASES AGAINST THOSE CONVICTED BY THE SPECIAL WAR COUNCIL. IN ADDITION, IT IS EXPECTED THAT THE SUPREME COURT WILL MEET JAN. 13 TO CONSIDER THE REQUEST BY LAWYERS FOR THE 27N DEFENDANTS THAT THE ACCELERATED, SUMMARY TRIAL PROCEDURE IS UNCONSTITUTIONAL AND SHOULD BE DECLARED NULL AND VOID, WITH THE CASES

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 CARACA 00342 132135Z
REMANDED TO REGULAR MILITARY AND CIVILIAN COURTS (SEE
REFTELS).

4. SEPARATELY ON JAN. 12, SOME OF THE 27N MILITARY DEFENDANTS SEIZED AND HELD THE COMMANDER OF THE MILITARY POLICE REGIMENT AT FORT TIUNA, COL. NAVARRO MARTINEZ, TO PROTEST THE SUMMARY MILITARY TRIBUNAL AND THE FAILURE OF THE SUPREME COURT TO MEET AND TO HEAR THEIR REQUEST THAT THE SPECIAL WAR COUNCIL BE DECLARED ILLEGAL. AFTER A FEW HOURS, SECURITY ELEMENTS MOVED IN AND EMPLOYED TEAR GAS TO RESCUE THE COLONEL. THERE WERE NO CASUALTIES.

5. COMMENT. THE INFORMATION RELEASED SO FAR ON THE VERDICTS OF THE SPECIAL WAR COUNCIL IS INCOMPLETE AND DOES NOT SEEM TO INCLUDE ALL THE DEFENDANTS. MOST NOTABLY, WE HAVE NOT SEEN SPECIFIC INFORMATION REGARDING THE VERDICTS AND SENTENCES IMPOSED ON THE 27N COUP LEADERS, SUCH AS ADMIRALS GRUBER AND CABRERA.

SKOL

UNCLASSIFIED